



Kentucky Energy and Environment Cabinet

FACT SHEET

The Universal Waste Rule

WHAT ARE UNIVERSAL WASTES?

1. *Batteries*, such as nickel-cadmium (Ni-Cd) and small, sealed lead-acid batteries found in electronic equipment, mobile telephones, portable computers and emergency backup lighting.
2. *Pesticides* that have been recalled or banned from use, are obsolete, have become damaged, or are no longer needed due to changes in cropping patterns or other factors.
3. *Thermostats*, which can contain as much as three grams of liquid mercury and are found in homes and commercial, industrial, agricultural, and community buildings.
4. *Spent lamps*, which include incandescent, fluorescent, high pressure sodium, mercury vapor, metal halide, high intensity discharge (HID), and neon bulbs or tubes.



WHAT IS THE UNIVERSAL WASTE RULE?

Kentucky adopted the federal Universal Waste Rule on March 12, 1997. The rule was designed to encourage recycling and proper disposal of some common hazardous wastes, and reduce the regulatory burden on businesses that generate these wastes. By reducing administrative requirements, this rule saves companies in compliance costs and reduces time spent on paperwork. The rule encourages collection and recycling programs for households and small businesses.

The Universal Waste Rule:

1. Eases the regulatory burden on businesses.
2. Promotes proper recycling or disposal of hazardous waste batteries, pesticides, thermostats and spent lamps.
3. Provides for collection opportunities for small businesses and communities.

WHO IS AFFECTED BY THIS RULE?

Businesses. Universal wastes are generated by small and large businesses. In the past, companies have been required to handle universal wastes as hazardous. The Universal Waste Rule eases the regulatory burden by streamlining the administrative requirements. For example, the rule extends the amount of time that businesses can accumulate universal wastes on-site to a year or more, as explained below. It also allows companies to transport them with a common carrier, instead of a hazardous waste transporter, and it no longer requires companies to prepare a manifest.

Easy collection of universal wastes is a priority to ensure sound environmental management. This rule made it simpler for companies to establish collection programs and participate in manufacturer take-back programs.

Businesses that generates less than 100 kilograms (220 pounds) of universal wastes per month as a Conditionally Exempt Small Quantity Generator have the option to handle their waste as a Universal Waste or under the provisions for hazardous waste generated at their facility. However, Kentucky encourages these small businesses to participate voluntarily in recycling programs by bringing their wastes to collection centers.

Households. Universal wastes may be generated by individuals. Households are not subject to hazardous waste management standards and are allowed to dispose of these wastes with their trash. Although Kentucky's solid waste landfills are designed to handle the small amounts of hazardous waste from homeowners, these wastes can be better managed in a designated program for recycling. *Kentucky encourages residents to take their universal wastes to local collection centers for recycling or disposal.*

Communities. Local communities can establish collection programs and work with both businesses and residents to encourage proper recycling or disposal of universal wastes.

WHAT ARE THE BASIC REQUIREMENTS FOR MANAGING UNIVERSAL WASTES?

Anyone who handles a universal waste must determine his or her handler status. Large Quantity Handlers produce 11,000 lbs. or more (about five to six tons) and Small Quantity Handlers produce less than 11,000 lbs.

Large and Small Quantity Handlers:

- Must not dispose of a universal waste
- Must not dilute or treat a universal waste on site
- Must prevent releases to the environment
- Must label waste as a "universal waste"
- May accumulate universal wastes on-site for up to one year
- May accumulate universal wastes for more than one year for the sole purpose of facilitating proper recovery or disposal
- May accept universal wastes from off-site and keep them for up to one year
- Must train employees on proper handling and emergency procedures
- **Must respond to spills and manage the residue as hazardous waste**
- May self-transport to an authorized destination facility
- Must comply with export requirements for foreign shipments.

In addition, large quantity handlers must register and obtain an EPA identification number and keep records.

Transporters:

- Must not dispose of universal waste
- Must not dilute or treat except to respond to spills
- Must comply with Kentucky Transportation Cabinet regulations
- Are not required to use manifests
- May keep universal waste at transfer facilities for up to 10 days
- Must respond to releases; spill residue may be required to be managed as a hazardous waste
- Must only transport universal waste to a universal waste handler, destination facility or foreign destination
- Must comply with export requirements for foreign shipments.

Destination Facilities:

- Must comply with hazardous waste storage, treatment or disposal facility permitting
- Must comply with recycling facility requirements only if no storage occurs
- Must send waste off-site only to another destination facility or a foreign destination
- Must keep records.

Art courtesy of the Wisconsin Department of Natural Resources.



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